

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

WYATT NORDIN,

Plaintiff,

v.

ORDER

Civil File No. 08-5295 (MJD/AJB)

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendants.

Lionel H. Peabody, Counsel for Plaintiff.

Lonnie F. Bryan, United States Attorney's Office, Counsel for Defendant.

This matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated October 16, 2009 [Docket No. 26]. Plaintiff has filed an objection to the Report and Recommendation [Docket No. 28]. Pursuant to statute, the Court has conducted a de novo review of the record. See 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Court **ADOPTS** the Magistrate Judge's Report and Recommendation dated October 16, 2009 [Docket No. 26].
2. That Plaintiff's Motion for Summary Judgment [Docket No. 19] is **DENIED**.
3. That Defendant's Motion for Summary Judgment [Docket No. 22] is **GRANTED**

Date: January 12, 2010

s/ Michael J. Davis
Michael J. Davis
Chief Judge
United States District Court